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| | | | |
|---|---------------------------------|---|--|
| UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small> | | Attorney Docket No. 9868/0M893US0 First Inventor Shiro Majima Title GAME MACHINE Express Mail Label No. <u>EW 306629185-WS</u> | |
| APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small> | | ADDRESS TO: MS Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original, and a duplicate for fee processing)</small> 2. <input type="checkbox"/> Applicant claims small entity status. <small>See 37 CFR 1.27.</small> 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>41</u>] <small>(preferred arrangement set forth below)</small> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>7</u>] 5. Oath or Declaration [Total Sheets <u>3</u>] a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small> 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies ACCOMPANYING APPLICATION PARTS 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS/PTO-1449) <input checked="" type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input checked="" type="checkbox"/> Other: Certificate of Express Mailing Under 37 CFR 1.10; Petition to accompany the Declaration; Check in the amount of \$1,766.00 | |
| 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: _____ Prior application information: Examiner _____ Art Unit: _____ For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts. | | | |
| 19. CORRESPONDENCE ADDRESS | | | |
| <input checked="" type="checkbox"/> Customer Number: <u>07278</u> | | OR <input type="checkbox"/> Correspondence address below | |
| Name DARBY & DARBY P.C. Joseph R. Robinson | | | |
| Address P.O. Box 5257 | | | |
| City New York | State NY | Zip Code 10150-5257 | |
| Country US | Telephone (212) 527-7700 | Fax (212) 753-6237 | |
| Name (Print/Type) Joseph R. Robinson | | Registration No. (Attorney/Agent) 33,448 <u>147522</u> | |
| Signature <i>Joseph R. Robinson</i> | | Date September 9, 2003 | |

22264 U.S. PTO

10/658086



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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,766.00

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | Not Yet Assigned |
| Filing Date | Concurrently Herewith |
| First Named Inventor | Shiro Majima |
| Examiner Name | Not Yet Assigned |
| Art Unit | N/A |
| Attorney Docket No. | 9868/0M893US0 |

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number

04-0100

Deposit Account Name

Darby & Darby P.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 750 | 2001 | 375 | Utility filing fee | 750.00 |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | | | | 750.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|------------------|
| 53 | -20** = 33 | x 18.00 | = 594.00 |
| Independent Claims | 6 | -3** = 3 | x 84.00 = 252.00 |
| Multiple Dependent | | | |

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 | |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid | |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) (\$) | | | | | 846.00 |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|-----------------------------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | 130.00 |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | 40.00 |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37CFR 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | | |
| SUBTOTAL (3) (\$) | | | | | 170.00 |

SUBMITTED BY

Name (Print/Type) Joseph R. Robinson

Registration No. (Attorney/Agent)

33,448/47,522

(Complete if applicable)

Telephone (212) 527-7783

Signature

Joseph R. Robinson

Date

September 9, 2003

Express Mail Label No.

Dated: 9-9-03

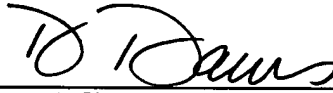
Ev 306629185-US

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 306629185-US in an envelope addressed to:

MS Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 9, 2003
Date



Signature



Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Certificate of Express Mailing Under 37 CFR 1.19 (1 pg)
Utility Patent Application Transmittal (1 pg)
Fee Transmittal (1 pg)
Application Data Sheet (2 pp)
Specification (41 pp) incl. Claims (12 pp); Abstract (1 pg)
Drawings (Fig. 1-6; 7 sheets)
Petition to Accompany Declaration (3 pp)
Executed Declaration and Power of Attorney (3 pp)
Recordation Form Cover Sheet (1 pg) w/Assignment (2 pp)
Claim for Priority and Submission of Documents (1 pg) w/one document
Information Disclosure Statement (3 pp); Form PTO/SB/08A (1 pg) w/6 documents
Check No. 2538 in the amount of \$1,766.00
Return Postcard

EXPRESS MAIL CERTIFICATE

Date _____ Label
No. _____

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

Name (Print) _____

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Customer No.: 07278

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CREDIT ANY EXCESS IN THE FEES DUE WITH THIS
DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

EXPRESS MAIL CERTIFICATE

Date 9-9-03 Label No. EV306629185-25

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

D. DAVIS
Name (Print)

[Signature]
Signature

Docket No.: 09868/000M893-USO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shiro MAJIMA; Keiri YOSHIOKA

Serial No.: Not Yet Known

Art Unit: Not Yet Known

Confirmation No.:

Filed: Concurrently Herewith

Examiner: Not Yet Known

For: GAME MACHINE

PETITION TO WAIVE THE SIGNATURE OF A NON-SIGNING INVENTOR

MAIL STOP Petition
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This Petition is being submitted pursuant to 37 C.F.R. § 1.47 to file the application. This Petition is submitted pursuant to 37 C.F.R. § 1.47 to waive the requirement for the signature of one inventor, Keiri Yoshioka, on the Declaration.

09/11/2003 SSITHIB1 00000004 10658086

05 FC:1460

130.00 0P

There are two joint inventors in the above-identified application: Shiro Majima and Keiri Yoshioka. Mr. Majima is the only available joint inventor and has signed the Declaration on behalf of himself and Mr. Yoshioka, the nonsigning inventor, per 37 C.F.R. § 1.47(a). The signature block of Mr. Yoshioka has been left blank. The Declaration should therefore be treated as having been signed by all available joint inventors on behalf of the nonsigning inventor.

Mr. Yoshioka cannot be reached or refuses to execute the Declaration. It is concluded by the 37 C.F.R. § 1.47(a) applicant that the present whereabouts of Mr. Yoshioka cannot be determined.

Upon information and belief, Mr. Yoshioka retired from his employment with the Assignee of the above-referenced application, Konami Corporation, prior to July 31, 2003.

Upon information and belief, the Assignee mailed a copy of the Declaration and Assignment for the present application the last known address of Mr. Yoshioka on July 31, 2003. The Assignee did not receive a reply as of August 22, 2003.

Upon information and belief, the Assignee placed two telephone calls, one on August 21, 2003, and the other on August 22, 2003, to Mr. Yoshioka's last known telephone number and the Assignee did not receive an answer.

The last known address of Mr. Yoshioka is:


1313-5 Kozono
Ayase-city, Kanagawa-Ken
JAPAN

This petition is accompanied by the \$130 fee specified in 37 C.F.R.

§ 1.17(h). The Commissioner is authorized to charge any deficiency or credit any excess in this fee to Deposit Account No. 04-0100.

Respectfully submitted,

Dated: September 9, 2003


Joseph R. Robinson / LOUIS DEL JACONE
Reg. No. 33,448 / 47,522
Attorney/Agent for Applicants

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New York, NY 10150-5257
212-527-7700

Docket No. 09868/000M893-US0